

COMMISSIONERS APPROVAL

CHILCOTT 

THOMPSON 

LYONS 

PLETTENBERG (Clerk & Recorder)

Date.....January 8, 2007

Members Present.....Commissioner Greg Chilcott,
Commissioner Alan Thompson and Commissioner Howard Lyons

Minutes: Glenda Wiles

The Board met with 9-1-1 Supervisor Joanna Hamilton and Special Projects Coordinator Marty Birkeneder in regard to the possible relocation of the 9-1-1 Center. Joanna presented a memo in regard to the necessity of immediate relocation which included reasons due to lack of space, numerous health issues of the dispatchers, safety issues in regard to the basement location and the lack of access to important documents that are needed during the night time hours. Joanna stated one area they could move into would be the current location of the Public Health Nurse. She stated the Public Health Nurse could move into another building or the 9-1-1 Center could move into another building. Joanna stated Marty Birkeneder is willing to look for grants that could help in this relocation, and there are funds available for relocation that would come through the state tariff funds.

Discussion included moving Juvenile Probation out of the building at 3rd & Bedford. Commissioner Chilcott stated the first hygienist that reviewed the courthouse stated there does not appear to be a mold issue, and currently, another certified Industrial Hygienist is preparing a report on his findings. Commissioner Chilcott stated there is an air flow and humidity problem. He stated this issue boils down to money and they would need to find funding for any changes. A current concern of the Board is that the county might lose their Rural Schools Funding and a portion of the PILT funds. He also noted they will need to spend monies for the addition of two Commissioners and more staff.

Commissioner Thompson and Commissioner Lyons agreed that the lack of space, requirements for ADA and need for a safer space gives credence to the need to review another location for 9-1-1.

9-1-1 Dispatcher Pam Russell indicated they are willing to work to educate the community on their needs and campaign to raise monies for a new 9-1-1 Center. It was agreed that Joanna will contact PHN Judy Griffin to determine if the Wellness Center at 3rd and State would be sufficient space for the Nursing Office; what the building would

cost to purchase, etc. In the meantime, the Commissioners will meet with Internal Auditor Klarryse Murphy in regard to the funding issues. Commissioner Thompson also indicated the 9-1-1 Advisory Committee could review the possibility of donated funds toward this endeavor.

In other business the Board met with Fair Manager Gary Wiley in regard to the City of Hamilton's request for a right-of-way through the ball fields on Fairgrounds Road. Fair Commission Members Les Linnendoll and Win Smith were present. Steve Green, the City of Hamilton's Administrative Assistant and Dan Harmon of HDR Engineering also attended.

Gary stated the right-of-way is needed for a city sewer line due to the poor construction of the sewer lines several years ago. Dan Harmon stated three segments, which include Mill Street down to Fairgrounds Road and Old Corvallis Road, were laid at an inappropriate grade. Solids are accumulating in the line and the capacity in the main interception along Fairgrounds Road is insufficient. The City recently settled with the Contractor (Green Excavating) and the Engineer (PCI) for approximately \$300,000.00. This money is to be used for repair and overlay on Fairgrounds Road. Due to the rising costs of paving, they are not sure they can do the complete overlay. Dan stated the project includes them reviewing the needs of the Arbors Subdivision and Besseney pipelines, and changing the flow to increase the flow capacity on Fairgrounds Road into Old Corvallis Road. He stated there is a capacity limitation to the other areas unless they change the line.

Steve stated the 21" line is basically an 18" flow due to the sagging pipe. The proposed change will re-route the flow and they would then gain the capacity back. Commissioner Chilcott asked why they do not fix the problem instead of changing the flow. Win stated to recapture the flow, is to change the flow to the east, putting in a 'Skeels Bypass', which would cost approximately \$250,000. In order to construct this bypass, they would need a right of way easement through the ball fields.

Steve agreed, stating they can 'redo' the Fairgrounds Road, which would cost more than their settlement, or do the bypass. He stated he visited with Gary Wiley about the benefits and drawbacks for either plan in order to fix the flow issue. If they repair the Fairgrounds Road sewer pipe line, they would close Fairgrounds Road and repair the pipe. He stated they would probably not be able to overlay the road because they would not have enough money. If they do a bypass (as they are proposing) they would only need to install a pipe through the ball field. This would also include the need to tear out approximately 30-40 yards of the ball fields, but they would re-sod the area and make any necessary repairs to the irrigation system. Ultimately they would only need a 20' easement and it would not impact the fence near Kayne Street. They propose putting in a service stub in the ball fields, which would increase the value of the ball fields for future service. They would also commit to backfilling the Mill Street side of the field with some parking gravel to mitigate any pothole and standing water issues that are currently occurring there.

Gary stated he appreciated the city addressing the negative impact of utilizing the right of way. However, every time the Fairgrounds try to do anything they have to approach the City for a conditional use permit, due to the zoning. The last issue they had with the city (in regard to the entry grate) created some major issues. He asked if the conditional use permit could be removed from fairgrounds use in exchange for this right of way. Commissioner Chilcott noted the county has pledged and spent county CDBG monies for city projects. He further noted that the use permit has been used as leverage by the city to obtain county monies and he is not pleased with that. He stated the Fairgrounds are always in the middle of these issues.

Win asked what the time frame would be on completing the work at Old Corvallis Road and Fairgrounds, as it might impact the financial venues at the Fairgrounds.

Gary asked why the current pipe jogs up to Old Corvallis Road. Steve stated they need to divert the flows coming from the south. Steve also stated they are not sure about the exact repairs and they are not sure how long this project will take. The bypass project could only take 2-3 weeks. Dan stated they would have to deal with the school and Arbors flow when repairing the current route. However, the bypass would not stop any current flow. They want to get this done before the high ground water becomes a problem.

Commissioner Thompson stated he agrees with Gary and Commissioner Chilcott, in that when they deal with the City of Hamilton, they say 'give me' and they never give anything back to the County of Ravalli. He would hope, with Steve Green being the new Administrative Assistant, they could work with the city and have a better spirit of cooperation. He cited examples of attempts to work with the city on projects involving Main Street, Fairgrounds, the bridge on US 93, etc., and said he is really unwilling to do anything with the city, as the county's good will is never reciprocated. In this instance, however, he has seen some positives for the county, such as the sewer stub at the ball fields, not disrupting traffic on the Fairgrounds, etc., and he would be willing to grant a right of easement, with the caveat that the city be reasonable with its conditional uses at the Fairgrounds.

Steve stated he has only been with the city for four months and he is willing to work with the county on all fronts. He stated he has heard about the issues with the city and their dealings with the county. But he can only say he would like to move forward and the city needs to step up in the future. In regard to the conditional use permits, the Fairgrounds are in Recreational No. 1 and any new zoning *might* do away with the conditional use permits.

Commissioner Chilcott asked Dan about the benefits to the bypass. Dan stated it is the cost of being several hundred thousands dollars lower. Commissioner Chilcott stated his issue with the city was the new gate, new buildings, and the fact that the city extorted \$120,000 of CTEP monies from the county for the fairgrounds gate installation. He stated he has not gotten over that. In regard to the Corixa project, the county stepped up on the sewer line and asked for the EDA building on Old Corvallis Road with no

cooperation from the city. These are things that benefit Hamilton, yet cost the county tax payers. In regard to putting in a stub, Commissioner Chilcott stated 'that is nice', but he wondered what that will cost the county when the stub needs to be hooked up. He stated the city should return the \$120,000 of CTEP monies for this bypass and grant of right of way. He stated 'the well is dry' and he is not going to give anything to the city without recognition; as their relationship has not been a two-way street.

Win stated what needs to be investigated is whether a lesser government can dictate to a greater government, such as the city dictating to the county. He stated the county should negotiate the use of the conditional use permits. Commissioner Thompson stated they withheld CTEP and cooperation in the past, but he is unsure about the law.

Commissioner Lyons stated city law does supersede county law. He asked if an inter-local agreement could be obtained between the city and county.

Steve stated he is looking at the possibility of rezoning the Fairgrounds, which should help in this regard, but they need a legal review because of the notification process to the neighbors. He stated he is ready to work with both parties. If they re-construct the current pipes it will have a negative impact on the Fairgrounds.

Commissioner Thompson made a motion to grant an easement as presented for Skeels Bypass, with the conditions that manhole covers be installed, the stub out be constructed, the ball fields will be re-sod, and to lay gravel as approved by the Road Department on the parking area at Mill Street.

Discussion of the motion took place. The Commissioners stated they want the city to continue the legal research and move forward for the rezoning issue as it affects the conditional use permits for the Fairgrounds. Steve stated he would commit to this research with the City Planner.

Commissioner Lyons seconded the motion with the agreement to continue the discussion on rezoning the Fairgrounds.

Commissioner Chilcott stated he would oppose this, as he would like to see this proposal by the city in writing, and he would like to see the CTEP funding reduced or reimbursed. He stated this is an opportunity to make the city respond to the county. Without doubt Steve's good will is genuine, but the decision will be made by the council. The city must understand the county has the power to delay this project. Win stated approving this gives the city carte blanche. Commissioner Chilcott agreed. Steve asked if this required a signed utility agreement. Commissioner Chilcott said it did. Commissioner Thompson asked if the city is prepared to bring forth a proposal based on his motion. Commissioner Chilcott stated he appreciated the new Mayor and Administrative Assistant but a message should be sent to the City Counselors. Steve stated while he will work with the County, he has no control over the Counsel. Commissioner Thompson withdrew his motion. Commissioner Lyons seconded the withdrawal of the motion.

Commissioner Thompson made a motion (same as above) with the stipulation that it become effective after receipt and approval, with a letter from the city outlining their proposal, with those conditions as noted in his first motion, and a time table to finish the project that would extend no later than April 15th. Commissioner Chilcott suggested waiting until they get the letter and see if the CTEP money is returned. He also suggested rather than a full year, to give them a half year of CTEP funding. Commissioner Thompson stated he is favor of the project and sees some benefit to the county, with great benefit to the city. He added the new people in city government should understand county problems. Commissioner Chilcott said the city staff has always understood the county issues; it is the Council members who vote on the project. Commissioner Lyons seconded the motion. Commissioner Chilcott voted nay, Commissioners Lyons and Thompson voted "aye".

In other business, Commissioner Chilcott participated in a MACo legislative conference call.

Commissioner Lyons attended a 9-1-1 Advisory meeting during the early evening hours.